REMARKS

Reconsideration of this application is respectfully requested.

This application has been reviewed in light of the Office Action dated April 9, 2004. Claims 1-2, 4-6, 8-10, 12-14, and 16-19 are currently pending in the application.

In the Office Action, the Examiner has now rejected Claims 1, 5, 9, 13, and 17-19 under 35 U.S.C. §103(a) as being unpatentable over *Miya* (U.S. Patent 6,347,231 B1) in view of *Hibino* (U.S. Patent 5,444,862), Claims 2, 6, 10, and 14 under 35 U.S.C. §103(a) as being unpatentable over the combination of *Miya* and *Hibino*, and further in view of *Posti et al.* (U.S. Patent 6,466,794), and Claims 4, 8, 12, and 16 under 35 U.S.C. §103(a) as being unpatentable over the combination of *Miya* and *Hibino*, and further in view of *Hall et al.* (U.S. Patent 5,491,717).

As indicated above, the Examiner has rejected independent Claims 1, 5, 9, 13, and 17 under 35 U.S.C. §103(a) as being unpatentable over *Miya* and *Hibino*. Specifically, the Examiner alleges that *Miya* discloses all the elements of Claims 1, 5, 9, 13, and 17, except for stopping or resuming a transmission signal based on a comparison of a received signal to a threshold, which is allegedly taught in *Hibino*. However, it is respectfully submitted that the Examiner is incorrect.

First, all of the independent claims recite detecting a power control bit from a channel signal received on a forward link channel and measuring a reception strength of the received channel signal using the detected power control bit. As indicated above, the Examiner cites *Miya* as teaching this recitation. More specifically, the Examiner references the control bit denoted by "sc bit", which is indicative of compensating the transmission power table that represents a relation between a reception power and a transmission power. However, it is

respectfully submitted that this sc bit is not an equivalent of the power control bit of the present invention, nor is the sc bit is used to measure a reception strength of the received channel signal, as recited in the present invention.

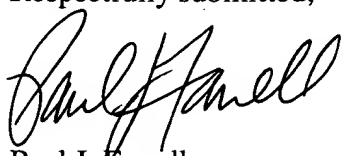
Further, all the independent claims compare the reception strength with a threshold and generate a signal for controlling transmission on a reverse link depending on the comparison. The Examiner cites column 5, lines 31-45 of *Miya* as teaching this feature. However, it is respectfully submitted that neither this cited section nor any other section of either *Miya* or *Hibino* teaches this recitation.

Additionally, each independent claim recites that the reception strength of the forward link channel output from the measurer is a signal-to-noise ratio (SNR) calculated using the power control bit. However, it is respectfully submitted that there is no section of either *Miya* or *Hibino* that teaches this recitation. Accordingly, for the reasons stated above, it is respectfully submitted that the Examiner is incorrect in rejecting independent Claims 1, 5, 9, 13, and 17, and it is respectfully requested that the rejections of Claims 1, 5, 9, 13, and 17 be withdrawn.

As indicated above, independent Claims 1, 5, 9, 13, and 17 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 4, 6, 8, 10, 12, 14, 16, and 18-19, they are likewise believed to be allowable by virtue of their dependence on Claims 1, 5, 9, 13, and 17, respectively. Accordingly, reconsideration and withdrawal of the rejections and objections of dependent Claims 2, 4, 6, 8, 10, 12, 14, 16, and 18-19 are respectfully requested.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 1-2, 4-6, 8-10, 12-14, and 16-19 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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